

**MINUTES OF THE COTTONWOOD HEIGHTS CITY
PLANNING COMMISSION MEETING**

Wednesday, April 16, 2014

6:00 p.m.

**Cottonwood Heights City Council Room
1265 East Fort Union Boulevard, Suite 300
Cottonwood Heights, Utah**

ATTENDANCE

Members Present: Chair Gordon Walker, Commissioner Dennis Peters, Commissioner James Jones, Commissioner Perry Bolyard, Commissioner Janet Janke, Commissioner Guymon Paxton, Commissioner Jeremy Lapin

Excused: Commissioner Joseph Demma

Staff Present: Community and Economic Development Director Brian Berndt, Senior Planner Glen Goins, Associate Planner Mike Johnson

Others Present: Attorney Spencer Topham, Gary McGee, Jill McGee, Matt Holmes, Michael Wright, Debi Tuttle, Bob Tuttle, John Clawson, Jolie Pope, Greg Pope, Patsy Young, Glen Olsen, Loretta Olsen, Russ Bringham, Nancy Hardy, Lynne Draus, Jim Wadge, Roy Harris, Ralla Harris, Robert Young, Cynthia Bruckway Smith, Wolf Uhrhahn, Karen Uhrhahn

BUSINESS MEETING

1.0 WELCOME/ACKNOWLEDGEMENTS

Chair Gordon Walker called the meeting to order at 6:00 p.m. and welcomed those in attendance.

2.0 CITIZEN COMMENTS

There were no citizen comments.

3.0 PUBLIC HEARINGS

3.1 (Project #GPA-14-002) Public Comment on a request from J.R. Pope, Pope Investments, for a general plan amendment from Rural Residential to Residential Office and approval of a zone change and zoning map amendment from RR-1-43 to RO, on the property at 7884 South Highland Drive

Senior Planner, Glen Goins, described the proposed request from J.R. Pope, of Pope Investments, for a General Plan Amendment from Rural Residential to Residential Office for property located at 7884 South Highland Drive as detailed in the staff report. He stated that the amendment will not intensify the use because it currently operates as a veterinary clinic. Staff recommends approval and feels that given its designation and current use as residential office, it will be in compliance.

Community and Economic Development Director, Brian Berndt, clarified the zoning surrounding the proposed request.

The applicant, Greg Pope, reported that he has owned the veterinary clinic longer than Cottonwood Heights has been a City. He believes the zoning should have been grandfathered in.

Matthew Holmes, an adjacent property owner, read a prepared statement detailing the history of the proposed property and expressed opposition to the proposal.

There were no further comments. The public hearing was closed.

3.2 (Project #ZMA 14-002) Public Comment on a request from Paul Shaw, Shaw Building Group, to change the zoning and amend the zoning map from RR-1-43 to R-1-8 on 2.9 acres of property located at 2489-2495 East Creek Road

Mr. Goins described the proposed request from Paul Shaw, of Shaw Building Group, to change the zoning and amend the zoning map from RR-1-43 to R-1-8 for 2.9 acres of property located at 2489-2495 East Creek Road as detailed in the staff report. He stated that the request meets the intent and literal designation of the land use plan. Staff recommends approval based on compliance with the adopted land use plan.

Commissioner Peters expressed concern about the location of the proposed area that would be unbuildable due to the fact that it abuts Little Cottonwood Creek.

Mr. Goins confirmed that the flood plain will be examined as one of the engineering requirements for any proposed development on the property.

Laurie Shaw, the wife of the applicant, stated they have been sensitive to the guidelines by requesting an amendment to the General Plan as well as the request for R-1-8 zoning. She explained that luxury homes are planned and the proposed zoning is best suited for this type of development.

Clayton Wilkinson, from Probe Realtors, stated that the proposed subdivision does not connect to another and the lots sizes will vary in size and shape. If zoned R-1-10, there will be approximately 10 units. If zoned R-1-8, there will be approximately 13 units.

Russ Bringhurst requested that the developer consider placing Evergreens along the property line to ensure privacy of his and adjacent properties.

Dale Bennett, the Project Engineer, verified the location of the flood plain on the FEMA map.

There were no further comments. The public hearing was closed.

3.3 (Project #ZMA 14-003) Public Comment on a city-initiated zone change on the properties located at 2251, 2261, 2265, 2287 East Bengal Boulevard and 7576, 7550, 7560, 7534 South 2300 East, from R-2-8 (Multi- Family Residential) and R-1-8 (Single Family Residential) to PF (Public Facilities)

Mr. Berndt presented the staff report and described the proposed request modify properties located at 2251, 2261, 2265, and 2287 East Bengal Boulevard and 7576, 7550, 7560, and 7534 South 2300 East, from R-2-8 (Multi- Family Residential) and R-1-8 (Single Family Residential) to PF (Public Facilities). It was noted that the property is just over four acres in size.

There were no public comments. The public hearing was closed.

4.0 ACTION ITEMS

4.1 (Project #CUP-14-001) Action on a request from Michael Wright, Predico Properties, for a conditional use permit and site plan approval to develop and operate two professional office buildings at 7900 S Highland Drive

Chair Walker stated that the proposed item is for a request from Michael Wright, of Predico Properties, for a conditional use permit and site plan approval to develop and operate two professional office buildings at 7900 South Highland Drive.

Associate Planner, Mike Johnson, confirmed that the request is located two properties south of the veterinary clinic. Property setbacks were discussed.

Motion: Commissioner Lapin moved to approve Project #CUP-14-001. The motion was seconded by Commissioner Peters.

Commissioner Paxton moved to amend the motion subject to the following conditions:

- 1. The applicant shall comply with all relevant portions of Chapter 14 (“Highways, Sidewalks, and Public Places”), Chapter 19.35 (“Residential Office”), chapter 19.87 (“Site Plan Review Process”), chapter 19.84 (“Conditional Uses”), and all other applicable laws, ordinances and regulations pertaining to the proposed use;***
- 2. The applicant shall obtain City approval for the required lot split and provide proof of recordation from the Salt Lake County Recorder’s office;***
- 3. The building and site shall be constructed as shown on final approved plan sets, as determined and stamped by City staff;***
- 4. A development bond shall be posted in an amount approved by the City Engineer to cover all applicable site improvements following City procedures;***
- 5. The applicant shall install one City-standard streetlight in the public right-of-way along Highland Drive that is designed in accordance with the Cottonwood Heights Street Lighting Policy;***
- 6. The applicant shall obtain a Notice of Intent, maintain a Storm Water Pollution Prevention Plan, and comply with City, state, and federal standards during construction;***
- 7. All technical corrections to the construction documents shall be made prior to the issuance of a building permit, as directed by staff;***
- 8. The applicant shall be required to obtain further conditional use approval for uses other than administrative, general or professional offices containing no more than 5,000 square feet on any one floor and 10,000 gross occupiable square feet (19.35.030.B);***
- 9. A signed Certificate of Design Compliance from the Chair of the Architectural Review Commission is required prior to the issuance of any building permits;***
- 10. The applicant shall comply with any requirements stipulated in the Pertinent Information section of the staff report (i.e. Architectural Review; Building Site Plan and***

Landscaping; Curb, Gutter, Sidewalk and Driveway; Storm Drain Water, Utilities; Fire Safety; Lighting; Screening; Landscaping; Fencing; Signage; Building Height.)

Commissioner Lapin seconded the amended motion. Vote on motion: James S. Jones-Aye, Dennis Peters-Aye, Perry Bolyard-Aye, Jeremy Lapin-Aye, Paxton Guymon-Aye, Janet Janke-Aye, Chair Gordon Walker-Aye. The motion passed unanimously.

4.2 (Project #GPA-14-002) Action on a request from J.R. Pope, Pope Investments, for a General Plan Amendment and Zone Change approval to amendment and zone map amendment to the property at 7884 South Highland Drive

Chair Walker stated that the proposed item is for a request from J.R. Pope, of Pope Investments, to amend the General Plan land use map from Rural Residential to Residential Office and amend the zoning map from RR-1-43 to Residential Office (RO).

Mr. Goins stated that Mr. Pope recently submitted additional information that he would like considered as part of his proposal, a letter submitted to the City in 2005 when the City was incorporated. It states essentially that the adjacent property owners recognize that Highland Drive is no longer a viable place to live and other options should be considered to prevent the area from becoming blighted. A copy of a letter was distributed to the Commission.

Chair Walker asked the Commission if they would like to take the letter into account, postpone taking action on this item in order to review the newly presented information.

The Commission Members agreed to move the item forward.

Commissioner Lapin concurred that Highland Drive no longer seems like a viable place to live but is not taking into consideration the name, provided in the letter.

Motion: Commissioner Peters moved to recommend approval to the City Council of Project #GPA-14-002 General Plan Amendment from Rural Residential to Residential Office on property located at 7884 South Highland Drive. The motion was seconded by Commissioner Jones. Vote on motion: James S. Jones-Aye, Dennis Peters-Aye, Perry Bolyard-Aye, Jeremy Lapin-Aye, Paxton Guymon-Aye, Janet Janke-Aye, Chair Gordon Walker-Aye. The motion passed unanimously.

Motion: Commissioner Paxton moved to recommend approval to the City Council of Project #GPA-14-002 to change the zoning and amend the zoning map from RR-1-43 to Residential Office on property located at 7884 South Highland Drive. The motion was seconded by Commissioner Jones. Vote on motion: James S. Jones-Aye, Dennis Peters-Aye, Perry Bolyard-Aye, Jeremy Lapin-Aye, Paxton Guymon-Aye, Janet Janke-Aye, Chair Gordon Walker-Aye. The motion passed unanimously.

4.3 Approval of April 2, 2014 Minutes

Motion: Commissioner Lapin moved to approve the April 2, 2014, minutes. The motion was seconded by Commissioner Jones. Vote on motion: James S. Jones-Aye, Dennis Peters-Aye, Perry Bolyard-Aye, Jeremy Lapin-Aye, Paxton Guymon-Abstained, Janet Janke-Aye, Chair Gordon Walker-Aye. The motion passed unanimously with one abstention.

5.0 ADJOURNMENT

Motion: Commissioner Bolyard moved to adjourn. The motion was seconded by Commissioner Paxton and passed unanimously on a voice vote.

The planning commission meeting adjourned at 6:48 p.m.

Minutes approved: 05/07/2014